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\*\*E-filed 8/31/06\*\*

5 || Counsel for Defendant ALCAZAR

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

10 UNITED STATES OF AMERICA, ) No. CR 06-00095 JF  
11 Plaintiff, )  
12 v. )  
13 FRANCISCO JAVIER ALCAZAR, )  
14 Defendant. )  
15 \_\_\_\_\_ )  
16  
17 **STIPULATION AND [PROPOSED]  
18 ORDER TO CONTINUE STATUS DATE**

18 Assistant United States Attorney Richard C. Cheng and defendant, Francisco Alcazar,  
19 through his counsel, Assistant Federal Public Defender Angela M. Hansen, stipulate and agree  
that the status date in the above-captioned matter, presently scheduled for Wednesday, August  
23, 2006, should be continued to September 27, 2006, at 9:00 a.m.

The parties stipulate and agree that this status date should be continued because counsel for the government has agreed to provide additional discovery to the defense. Once received, counsel will need time to review the discovery, discuss it with her client and to investigate this case. Additionally, Mr. Alcazar was recently released from custody and his counsel needs time to have him come to the office to review several audio recordings and a video recording that were produced to the defense in discovery. Because the audio recordings are primarily in Spanish, counsel needs additional time to work with Mr. Alcazar concerning these tapes. Finally, counsel for the government has changed and needs additional time to review the case file

1 so that the parties can discuss possible plea negotiations. For all of these reasons, the parties  
2 stipulate and agree to continue the status date to September 27, 2006.

3 The parties further stipulate and agree that under 18 U.S.C §§ 3161(h)(8)(A) and (B)(iv),  
4 the ends of justice served by the continuance requested outweigh the best interest of the  
5 defendant and public in a speedy trial because the failure to grant such a continuance would  
6 unreasonably deny Mr. Alcazar the time necessary for effective preparation, taking into account  
7 the exercise of due diligence.

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9 Dated: August 17, 2006

\_\_\_\_\_  
10 ANGELA M. HANSEN  
Assistant Federal Public Defender

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12 Dated: August 17, 2006

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13 RICHARD C. CHENG  
Assistant United States Attorney

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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 SAN JOSE DIVISION  
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16 UNITED STATES OF AMERICA, ) No. CR 06-00095 JF  
17 Plaintiff, )  
18 v. ) [PROPOSED] ORDER CONTINUING  
19 FRANCISCO JAVIER ALCAZAR, ) STATUS DATE AND EXCLUDING  
20 Defendant. ) TIME  
21  
22

23 The parties have jointly requested to continue the status date set for August 23, 2006 to  
24 September 27, 2006 at 9:00 a.m., GOOD CAUSE APPEARING, IT IS HEREBY ORDERED  
25 that the status date presently set for August 23, 2006 is continued to September 27, 2006, at 9:00  
a.m. Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time  
from August 23, 2006 through and including September 27, 2006, shall be excluded from the  
period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C §§  
3161(h)(8)(A) and (B)(iv).

26 8/31/06  
27 Dated: February, 2006

  
28 JEREMY FOGEL  
29 United States District Judge  
30

1 Distribute to:

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